

FILED

MAR 14 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

EDUARDO MANUEL MARQUEZ, aka
Seal A, aka Eddie Morando, aka Labian
Diaz, aka Spike, and Gato,

Defendant - Appellant.

No. 05-50466

D.C. No. CR-03-00269-CJC

MEMORANDUM^{*}

Appeal from the United States District Court
for the Central District of California
Cormac J. Carney, District Judge, Presiding

Submitted March 8, 2006^{**}

Before: CANBY, BEEZER and KOZINSKI, Circuit Judges.

Eduardo Manuel Marquez appeals from his guilty-plea conviction and 180-month sentence for possession of methamphetamine with intent to distribute, use

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

or carrying of a firearm during a drug trafficking crime and being a felon in possession of a firearm, in violation of 21 U.S.C. § 841(a)(1), 18 U.S.C. § 924(a), and 18 U.S.C. § 922(g)(1), respectively.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Marquez has filed a brief stating that she finds no grounds for relief, along with a motion to withdraw as counsel of record. No pro se supplemental brief or answering brief has been filed.

Our examination of the brief and our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 83 (1988), disclose no grounds for relief on direct appeal.

Accordingly, counsel's motion to withdraw is **GRANTED** and the district court's judgment is **AFFIRMED**.

This matter is **REMANDED** to the district court with directions to correct the judgment of conviction, so that any references to count numbers conform to the first superceding information. *See* Fed. R. Crim. P. 36.